



# STAFF REPORT

**AGENDA ITEM: # 10**

**CASE NUMBER: P.D. 18-22**

**L.U.C.B. MEETING: June 14, 2018**

**LOCATION:**

Generally located at the northeast corner of Raines Road and New Tchulahoma Road

**COUNCIL DISTRICT(S):**

District – 3, Super District – 8 Positions 1, 2 & 3

**OWNER/APPLICANT:**

Raines Lenders L.P./SAIA LTL Freight

**REPRESENTATIVE:**

SR Consulting (Cindy Reaves)

**REQUEST:**

Truck or Motor Freight Terminal, service facility.

**AREA:**

47.35 Acres

## CONCLUSIONS

1. The subject property is located in an area that has been transitioning from residential to industrial since at least 1989. A plan for the area, approved in 1992, recommended a conversion in use to a Planned Business Park. A Planned Business Park is synonymous with an industrial park or a warehouse and distribution use.
2. Section 4.10.5 of the UDC requires that a request for an Industrial Planned Development consider the impacts of the use and address them to the extent possible to achieve compatibility.
3. Staff has addressed the compatibility requirement in the case by reviewing the project by visibility, traffic, Noise and fumes/odor.
4. Staff finds that the issue of compatibility is addressed and recommends in favor of the amendment.

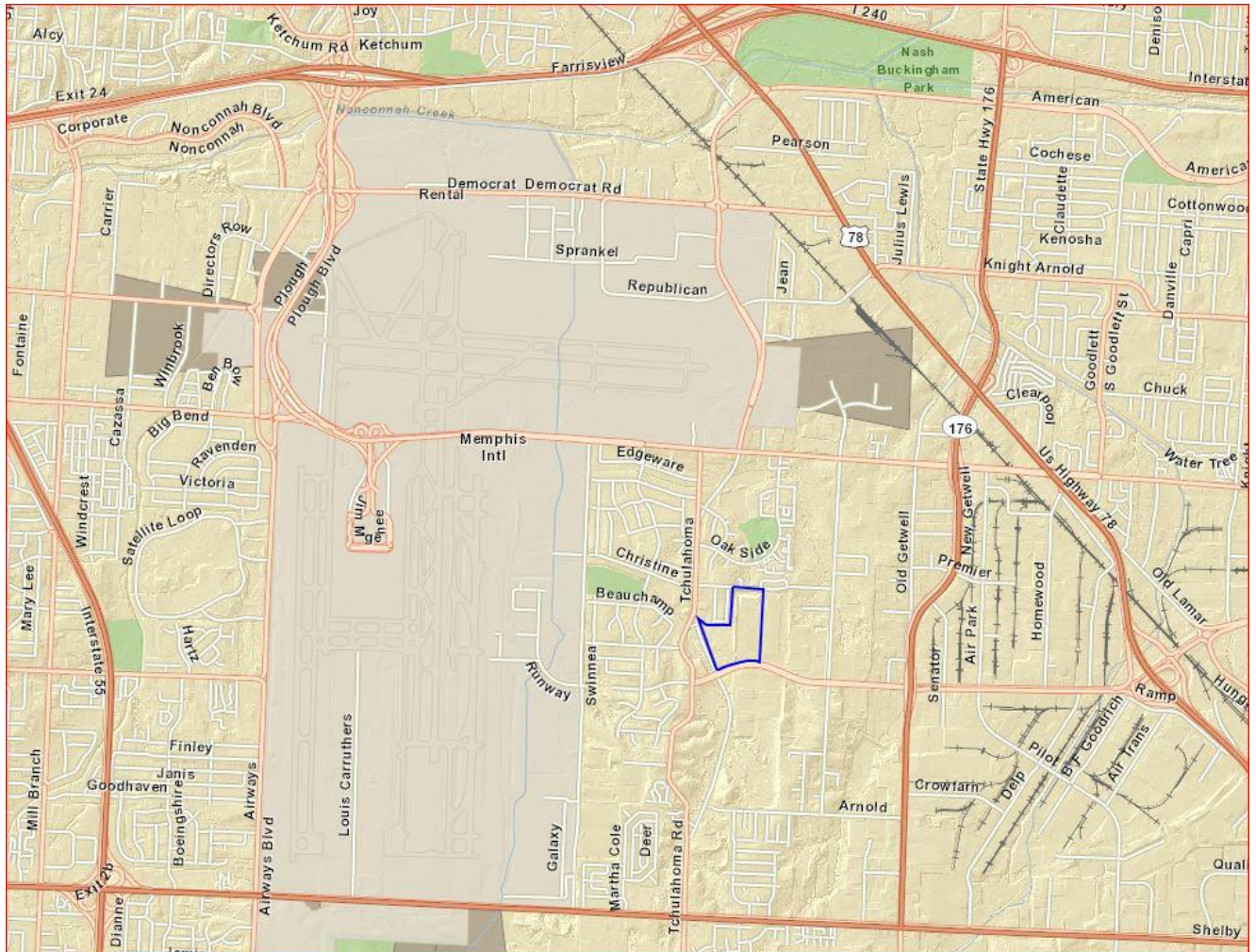
## RECOMMENDATION

***APPROVAL WITH CONDITIONS***

**Staff Writer: John D. (Don) Jones**

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General Location Map



The subject property is located in the Oakhaven Area of Memphis.





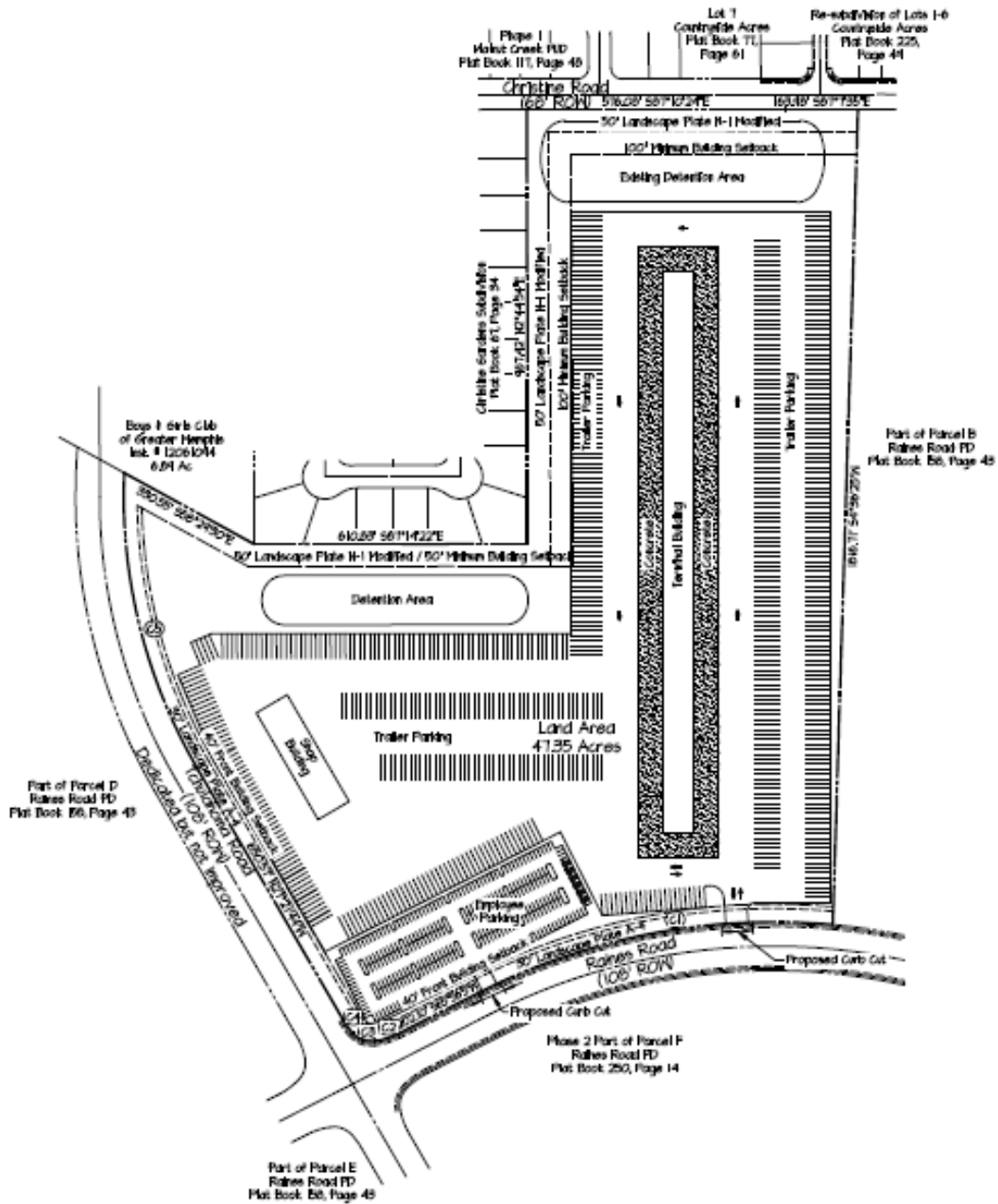
### Current Recorded Outline Plan (PD 95-380)







Concept Plan



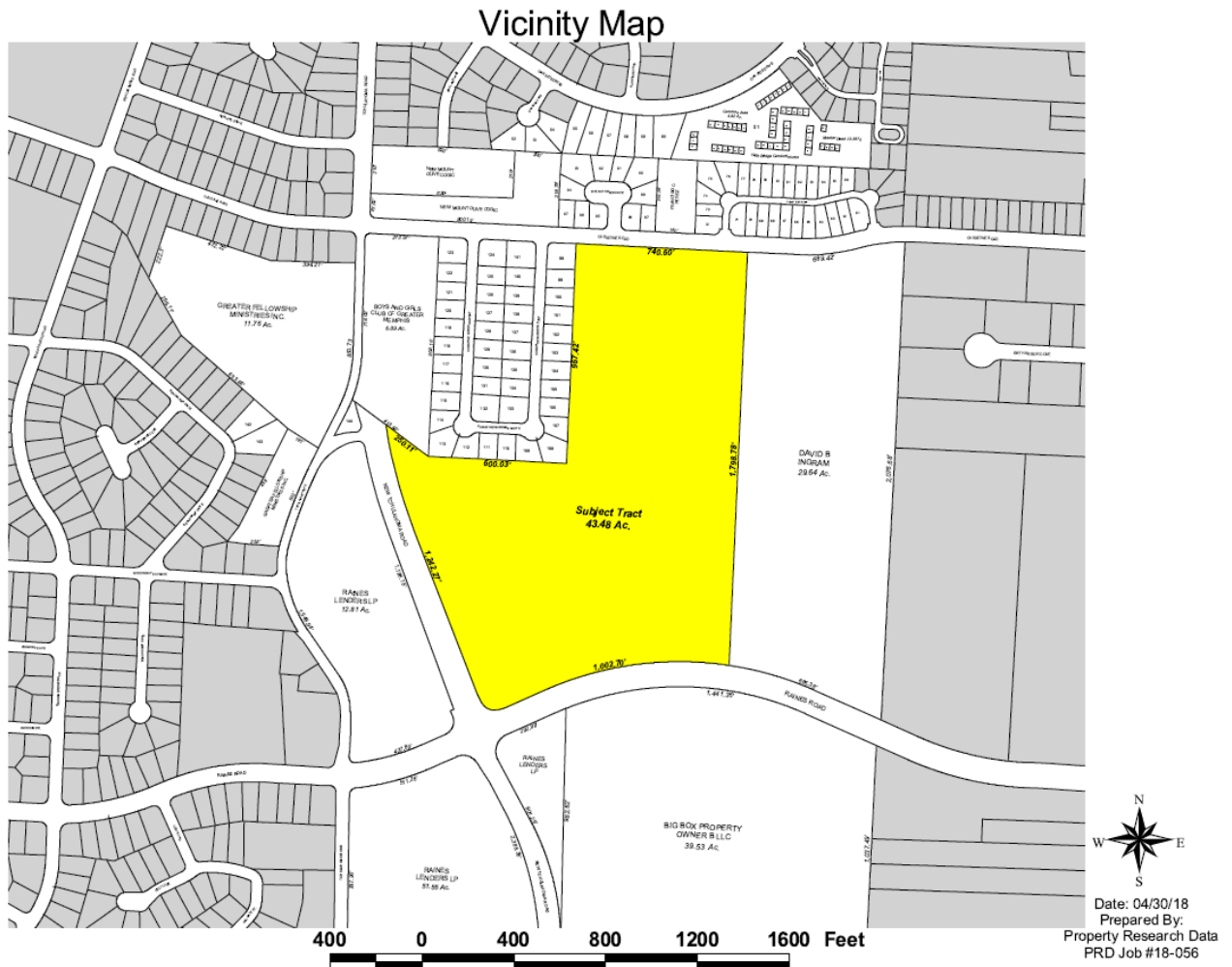


North: Opposite side of Christine Avenue. Existing residential dwellings and dwellings under construction in the Residential Single Family – 6 (R-6) District, Walnut Creek Planned Unit Development and Countryside Acres Subdivision.

East: Undeveloped land, Area B of the Raines Road P.U.D., Case # P.D. 95-380.

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Vicinity Map



**Public Notice**

**Neighborhood Meeting:** The meeting was held on June 4, 2018, at the Easthaven Church of Christ

**Public Notice signs** - Posted June 4, 2018 at 5:33 P.M.

**Mailed Public Notice** - A total of 123 notices were mailed on June 30, 2018.



## STAFF ANALYSIS

### Location and Site Characteristics:

The subject property is a 47.35-acre tract that is located on the north side of Raines Road in the Oakhaven area of Memphis, Tennessee. This amendment includes Areas B and C of the P.D. The property begins along the north side of Raines Road at the intersection with future New Tchulahoma. The right-of-way for New Tchulahoma Road has been dedicated but the road has not been built.

From that point, the site continues eastward along the north side of Raines Road for a distance of approximately 1,000 feet. At that point, the property boundary extends to the north for approximately 1,800 feet to the south right-of-way line of Christine Road. This site does not include all the area designated as Parcel B.

The underlying zoning of the site is residential, however, a planned development overlay, the Raines Road P.U.D. was approved in 1989.

### Abutting and Adjacent Uses of Land

The property to the east of the subject property is vacant, it is the remainder of Area B. South of the subject property, on the south side of Raines Road, are two warehouse/distribution uses located in Area F of this P.D.

To the north and on the opposite side of Christine Road from the subject site are two residential developments, one approved as a Residential Planned Development the other approved under zoning with a residential subdivision, Walnut Creek P.U.D. and the Countryside Acres Subdivision. The aerial is misleading. Both the P.D. and the subdivision are nearing build-out. Some of the lots are currently under construction for single family development others were built as recent as 2007.



At the northwest corner of the subject property is the Christine Gardens Subdivision which was recorded in 1977. A spot check of parcels indicates the houses were constructed in the late 1970's. To the west of the subdivision and abutting the current Tchulahoma Road is an institutional use owned and operated by Big Brothers and Big Sisters of America.

The west property line of the current Area C abuts the undeveloped right-of-way of New Tchulahoma Road.

### The Planned Development

The property is included in the Raines Road P.U.D. which was originally approved in 1989. The P.U.D included 8 designated areas for development, Parcels A-H. Each parcel was regulated by a specific zoning designation and development requirements. Generally, the areas of the site that abut public streets serving residential areas were set up to provide transition to the existing residential. In those instances, the Office General Zoning District was called out, or, if a more intensive use was permitted, a deeper setback or building height was imposed to address the transition issue.

In 1995, the P.U.D. was amended to delete Area A and incorporate that land area into Area B. Area A was that portion of the site that abuts Cristine Road on the north. Area A was regulated by the Office Zoning District. The tradeoff for this change was one, the natural vegetation that exists near the Christine Road is retained, the plan called for the Natural (N-1) Landscape Plate to incorporate existing vegetation in the landscape screen. Second, the conditions prohibit access to the Christine Road. This was considered a more sensitive treatment to the predominantly residential street than an office use.

The Outline Plan on page 4 of this report reflects that amendment.

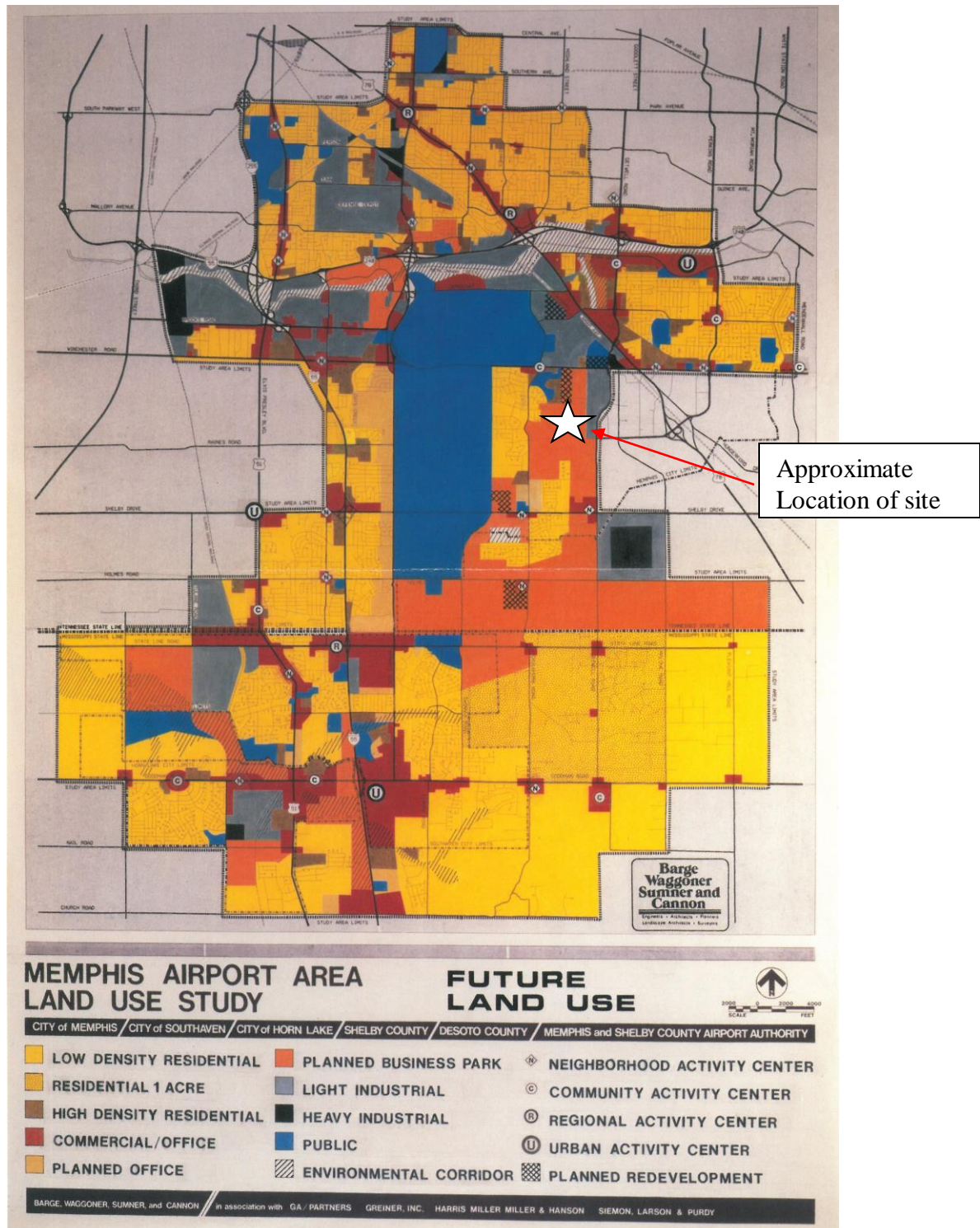
### Approved Area Plan

The Memphis Airport Area Land Use Study was approved by the Memphis City Council in 1992. The plan was designed to analyze the land use and transportation issues for the area immediately surrounding the Memphis International Airport. The proposed third north-south runway at the Airport created the need for a noise impact study. The results of that study revealed that certain properties to the north, south, east and west of the airport were subjected to higher than permitted noise levels and that these properties, under Federal Guidelines, must be bought out. The Planning process then created a Future Land Use Plan to guide the development of these lands and the greater area as well.

With respect to this request, the Future Land Use Map, below, supports a Planned Business Park, area colored in orange, for the area generally located to the east of Tchulahoma Road. The designation on the map considered the approval of Planned Developments in the area.

The Planned Business Park was intended to become a new zoning district that would replace the need

for Planned Developments. The new district would create an industrial park with landscaping and building design requirements. The primary use would be office warehouse and office showroom type facilities with supporting commercial uses.





### Request

The applicant's request consists of two parts. First, the applicant is requesting to amend the Uses Permitted Section of the P.D. to add "Truck or Motor Freight Terminal, service facility" as a permitted use in Parcel B. Second, the applicant is asking to delete Parcel C from the Outline Plan and incorporate the land into Area B. The applicant has included some additional uses to be excluded from consideration as permitted uses as a trade-off for this consideration.

In response to questions from the OPD, the applicant has submitted these details about the project's operation:

1. This will be a 200-door facility and operate 24 hours a day and 7 days per week.
2. 675 trailer spaces and this included the tractor (or cab).
3. 300 employee spaces
4. Shop building is 30,000 square feet – it will include maintenance to the trucks.
5. Terminal building is similar to a Cross-Dock loading; no storage.
6. There will be gasoline/diesel service.
7. No overnight facilities for drivers. Breakrooms, restrooms, training rooms, etc.

Other important information submitted to OPD as a part of this request include:

8. Applicant agrees to increase the width of the landscape buffer along Christine Road and abutting the Christine Gardens Subdivision from 50 feet to 10 feet.
9. The exhaust and noise system is similar to what is used by the Old Dominion Freight Lines, which was approved under a Planned Development, which are the same standards as required in California for all their vehicles and is much greater than anywhere in the USA. It will include an idle kill switch that cuts off the engine if the trucks idles more than 5 minutes. The trucks/equipment is rotated every five years.
10. They will submit a photometric plan using LED lighting and meeting the Outdoor lighting requirements of the UDC.
11. They will install a 6' tall chain link fence with a 3' strand of barbed wire and a guard dog behind the chain link fence.
12. The trucks will not include back-up beepers.

### Justification

The applicant, SAIA Truck Lines, feels this site is a good location for their operation with close proximity to the interstate, Getwell, Raines Road, Shelby Drive and Lamar Avenue. It is in a predominately industrial area. including the Airport, FedEx, UPS etc. They have been looking for a site in the Memphis area for a year now and there is very low inventory of 50-acre sites in this area that meet their needs.

## **Review of Request**

At the outset, staff is reluctant to change the permitted uses or add additional restrictions on property that is not directly associated with the application. So, for that reason, staff is revising the initial request by creating a new development area, Parcel B-1. The conditions regulating this new area begin on page 15 of this report. New language is identified in bold and italic type.

### The Change of Use

The requested use, Truck or Motor Freight Terminal, service facility, is an industrial use that is permitted by right in the Warehouse and Distribution zoning district. It is not found in the list of uses typically permitted under the Heading of Light Industrial. Further, there are many uses that have similar operational characteristics that are not permitted in this planned development. Therefore, it was determined that an amendment to the permitted uses is necessary.

### Commercial and Industrial Planned Developments

Section 4.10.5 of the UDC states that a Planned Development for industrial uses may be approved the governing bodies for “those industrial uses which can reasonably be expected to function in a compatible manner with other permitted uses in the area. In addition to the applicable standards and criteria set forth in in Section 4.10.3, see the appendix to this report, planned commercial or industrial developments shall comply with the following standards: A. Screening, B. Display of Merchandise, C. Accessibility and D. Landscaping”. These standards have been applied to the prior reviews and approval of this P.D. and are the focus of the review of this P.D. Amendment.

### Compatibility

Compatibility is the key concept in evaluating a Planned Development that proposes a dissimilar use from the property(s) that it abuts or from which it is adjacent. In this review staff has identified the following factors to be the key points of its review to establish compatibility: visibility, traffic, noise, fumes,

*Visibility* – This issue is addressed in a number of ways. First, the landscaping requirement along the perimeter boundary adjacent to Christine Road and the common property line with the Christine Gardens Subdivision, (Condition VI. C.) has been increased from 50 feet to 100 feet. Staff will have the opportunity to look at the existing mature vegetation and require additional evergreen materials if there are holes in the screen or if too much of the existing material is deciduous in nature.

The conditions of Chapter VI. also require a 30-foot landscape plate with a berm along the public roadways which will also contribute to the compatibility issue.

Second, the amended conditions, see Condition VI E) require a lighting plan to demonstrate that light trespass to the abutting properties is no greater than one candle foot.

*Traffic-* Again, there are multiple areas in the conditions and demonstrated on the site plan that address this issue. First, all access from Christine Road is specifically prohibited by Condition IV. O. Second, the site plan does not show a curb-cut onto New Tchulahoma Road. Third, Condition II.E.6 limits the truck traffic to Raines Road east of future New Tchulahoma Road and further restricts the truck traffic from using Tchulahoma Road or Prescott Road.

*Noise-* The applicant is required to provide the OPD with a noise study to determine the decibel level generated by the truck traffic, parking, loading and unloading around the terminal building, and work associated with the shop building during the hours of 8 p.m. to 6a.m., see condition II.E 7.

Since this is proposed as a 24 hour per day/ seven day a week facility, these hours to staff seem to be the most critical to the nearby residential uses. Staff has recommended a noise level of 60db. This level is described as “Conversation in a restaurant, office, background music, Air conditioning unit at 100 feet, see the attachment in the Appendix of this report. The intention of this condition is that if the noise study reveals a noise measurement in excess of 60 decibels, then additional measures shall be employed, either additional setback of parking spaces or additional landscaping or possibly both to dampen the noise to the recommended level.

Another part of the noise issue is the sound of the alarms that are located on large trucks to warn other traffic or people that the truck is backing up. The applicant has indicated that those will not be used on this site. While there is some concern for safety, this noise in the middle of the night can be very disturbing.

*Fumes/Odor* – As a part of their operations, the applicant has indicated that they employ a kill switch which causes the engine to cut-off after 5 minutes of idling time. This has been added to the conditions regulating the operation of this use, see Condition II.E.2.

## **Conclusions**

The subject property is located in an area that has been transitioning from residential to industrial since at least 1989. A plan for the area, approved in 1992, recommended a conversion in use to a Planned Business Park. A Planned Business Park is synonymous with an industrial park or a warehouse and distribution use.

Section 4.10.5 of the UDC requires that a request for an Industrial Planned Development consider the impacts of the use and address them to the extent possible to achieve compatibility.

Staff has addressed the compatibility requirement in the case by reviewing the project by visibility, traffic, Noise and fumes/odor.

Staff finds that the issue of compatibility is addressed and recommends in favor of the amendment.



## OUTLINE PLAN CONDITIONS

Raines R.U.D. 2<sup>nd</sup> Amendment

Formerly PD 95-380

(bold and italic text indicates proposed additions or changes)

### I. Uses Permitted

- A. Parcel A: The land area for Parcel A has been combined with Parcel B and Parcel A has been excluded from the P.D. by previous amendment with PD 95-380.

- B. Parcel B, E, F, and G: Any use permitted in the *Employment (EMP)* District except:

Amusements, commercial outdoor  
Campground, travel trailer park  
Drive-in theater  
Garage, commercial  
Tavern cocktail lounge night club  
Brewery  
Bus terminal or service facility  
Taxi cab dispatch station  
Garbage or refuse collection service  
Used goods, second hand sales  
Adult entertainment  
Chemical manufacturing  
Slaughtering business  
Beverage re-cycling center

- C. Parcel B-1: Any use permitted by right in the Employment (EMP) and Warehouse and Distribution (WD) Districts except where noted below:

1. Amusements, commercial outdoor
2. Campground, travel trailer park
3. Drive-in theater
4. Garage, commercial
5. Tavern cocktail lounge night club *or bar unless the bar is associated with a restaurant and the primary use is described as restaurant with alcohol sales.*
6. Brewery
7. Bus terminal or service facility, *or multi-modal facility*
8. Taxi cab dispatch station
9. Garbage or refuse collection service
10. Used goods, second hand sales

11. Adult entertainment *and/or adult oriented establishment*
12. Chemical manufacturing
13. Slaughtering business
14. Beverage re-cycling center
15. *Blood Plasma Donation Center where the donator is paid for the blood or plasma*
16. *Funeral establishment, funeral merchandise, funeral directing, crematorium and pet crematorium*
17. *Lodge or private club*
18. *Horse stables, Riding Academy and equestrian center*
19. *Outdoor shooting range*
20. *Payday loan establishment*
21. *Tattoo, palmist, psychic or medium*
22. *Truck stop with overnight lodging for the drivers*
23. *Manufactured housing*

D. Parcel C has been combined with Parcel B and has been excluded from the PD by this amendment, P.D. 18-22.

E. Parcel D1 and H: Office, office/showroom or any use permitted in the General Office (O-G) District except:

1. Barber or beauty shops
2. Plant or flower store

F. Parcel D2: Non-buildable area except for stormwater detention areas, signs, fences, guardhouse, landscape, entryway and architectural features.

## II. Bulk Regulations

A. Parcel B, ***B-1***, E, and F:

1. Minimum Lot Area: - 5 acres
2. Minimum Yard Requirements: (*minimum setbacks from*)
  - a. Christine Road 100 feet
  - b. Raines Road 40 feet
  - c. Tchulahoma Road 40 feet
  - d. Arnold Road 30 feet
  - e. East boundary 100 feet except adjacent to P.D. 88-345
  - f. Prescott Road 30 feet
  - g. *Abutting the Christine Gardens Subdivision – 100 feet*

3. Maximum Height: 100 feet except buildings located at the minimum building setback shall have a maximum height of 45 feet and have one additional one (1) foot in height for each four (4) feet of additional setback.
4. Maximum F.A.R.: .50
5. Buildings, structures and parking are prohibited within 100 feet of the exterior boundary of the Planned Development, except along the east line of Parcel B adjacent to P.D. 88-345. The setback from the west property line adjacent to New Tchulahoma Road shall be governed by conditions II.A.2.c. and II.A.2.g.
6. ***Any setbacks not regulated by the above conditions shall be regulated by the Employment (EMP) District***

B. Parcel G

1. Minimum Lot Area: 1 acre
2. Minimum Yard Requirements:
  - a. Raines Road 30 feet
  - b. Prescott Road 30 feet
  - c. South property line 25 feet
  - d. East property line 25 feet
3. Maximum Height: 35 feet
4. Maximum F.A.R. .50

C. Parcel H

1. Minimum Lot Area: 5 acres
2. Maximum of two principle structures per lot
3. Minimum Yard Requirements:
  - a. Arnold Road 30 feet
  - b. Tchulahoma Road 40 feet
  - c. East property line 100 feet



- d. South property line 100 feet
- 4. Maximum Height: 45 feet
- 5. Maximum F.A.R.: .30
- 6. Buildings, structures and parking are prohibited within 100 feet of the east and south property lines.

**D. Parcel D-1 and D-2**

- 1. **Parcel D-1 shall be regulated by the Office General (O-G) District except as modified below:**
  - a. **Office showroom use – F.A.R. - .30.**
  - b. **Setback from Old Tchulahoma Road – 100 feet**
  - c. **Buildings, structures and parking are prohibited within 100 feet of the exterior boundary of the Planned Development, except along the east line of Parcel B adjacent to P.D. 88-345**
  - d. **Maximum Height: 100 feet except buildings located at the minimum building setback shall have a maximum height of 45 feet and have one additional one (1) foot in height for each four (4) feet of additional setback.**
  - e. **Any street facing building façade shall be composed of brick, stone or a masonry material. Exposed metal other than doors or window openings shall not be permitted. A metal roof is permitted**
- 2. **Parcel D-2 – This parcel is designated as unbuildable except for stormwater detention.**

**E. *Operational Issues for Area B-1 if developed as a Truck or Motor Freight terminal, service facility***

- 1. *No overnight facilities for drivers including breakrooms, restrooms, or training rooms.*
- 2. *Trucks shall include an “idle kill switch” that cuts off the engine if the truck idles more than 5 minutes.*
- 4. *Applicant/developer/user intends to rotate fleet, trucks and equipment, every 5 years.*

5. *Trucks/trailers shall not include back up beepers.*
6. *Applicant is permitted to install a chain link fence with 3' strand barb wire. Said fence shall be located behind the required perimeter landscaping, unless another location is approved by OPD at Final Plan Review. Said chain link fence shall be vinyl coated, (green or black) to blend in with landscaping.*
6. *Access to and from Area B-1 for 18 -wheel (aka Tractor Trailer) vehicles shall be provided via Raines Road. Tchulahoma Road and Prescott Road shall not be included in the truck routes to be used by this applicant. And the tractor-trailers shall not continue any further west on Raines Road than New Tchulahoma Road.*
7. *Applicant shall prepare a Noise Study to address the operational noise created by the truck traffic and other related activities on this site during the period of 8 p.m. to 6 a.m. Decibel levels above 60 db shall require modification to the site plan by way of an additional setback to the parking area or additional landscaping or both. The study shall simulate to the degree possible, readings taken at the parking spaces closest to the north property line at Christine Road and the east and south property lines of the Christine Gardens Subdivision.*

III. Approval of the subject project (RAINES ROAD P.UD. 89-381) revoked P.D. 86-320 (Countryside Business Park Outline Plan (B. 111, Page. 11) recorded January 9, 1987) P.U.D. R-18 (Walnut Creek Planned Unit Development recorded January 9, 1987) General Plans (PB 68, Page 66) located south of Christine Road) and Z2165 Airport Townhome C.U.P. (PB 51, Page 27) Parcels B, & C.

IV. Access and Circulation:

- A. All private drives shall be constructed to meet City Standards and provide a minimum width of twenty-two (22) feet exclusive of curb and gutter in accordance with the Subdivision Regulations.
- B. Dedicate and improve Raines Road 54 feet from centerline in accordance with Subdivision Regulations. Said dedication and improvement shall be required at the time of any phase of development on Parcel B, D1, E, F, or G. Improvements to Parcels B, **B-1**, D1, E, F, or G shall be subject to the approval of the phasing plan and the provision of Section X of these Outline Plan Conditions.

- C. Dedicate three centered radii at the intersection of Tchulahoma and Raines Road.
- D. Dedicate and improve Tchulahoma Road 54 feet from the centerline in accordance with the Subdivision Regulations. Said dedication and improvements shall be required at the time of any phase of development on Parcels B, **B-1**, D1, D2, E, F, or H having frontage on Tchulahoma Road or Arnold Road and shall be subject to the approval of the Phasing Plan and the provisions of Section X of these Outline Plan Conditions.
- E. Sidewalks, curb and gutter are required on all streets subject to the approval of the City Engineer.
- F. Dedicate and improve Prescott Street, Christine Avenue and Arnold Road 34 feet from centerline in accordance with the Subdivision Regulations. Vehicular access from Christine Avenue is not permitted from Parcel B **or B-1** (formerly Parcel A).
- G. All internal public streets shall be dedicated and improved as commercial/industrial collectors (68-foot right-of-way and 48 feet of pavement) in accordance with the Subdivision Regulations.
- H. Dedicate and improve 26 feet from centerline of (Old) Tchulahoma Road as a major local street to realign (Old) Tchulahoma Road from Old Tchulahoma Road at the south end of Parcel E and connected Old and (New) Tchulahoma Road in accordance with Subdivision Regulations subject to the approval of the City Engineer.
- I. Dedicate and improve the connection of Old Tchulahoma Road to proposed (New) Tchulahoma Road at the south end of Parcel E in accordance with Subdivision Regulations subject to the approval of the City Engineer.
- J. Dedicate and improve a 50-foot radius cul-de-sac bulb at the proposed northern terminus of Old Tchulahoma Road north of Queensgate as a minor local street to provide access to the south end of the Oakhaven Baptist Church property.
- K. The design and location of curb cuts to be approved by the City Engineer.
- L. Direct access to "Old" Tchulahoma Road is prohibited.
- M. Provide internal circulation between adjacent phases, lots, and sections, *if possible*.

- N. Dedicate 26 feet from centerline of (Old) Tchulahoma. No improvements are required except as stipulated in Conditions IV. I and J.
- O. The maximum number of curb cuts/access points including internal public streets are as follows:

Parcel	Street Frontage	Number of curb cuts/Access Points
B	Christine Road	0
(no access to Parcel B from Christine Road)		
B	Raines Road	5 *(1)
D-1	Tchulahoma Road	1 *(2)
D-1	Raines Road	1
D-2	Tchulahoma Road	1
E	Raines Road	1 *(1)
E	Tchulahoma Road	10
F	Tchulahoma Road	10 *(2)
F	Raines Road	8 *(3)
F	Prescott Street	1
F	Arnold Road	6
G	Raines Road	1
G	Prescott Street	1
H	Tchulahoma Road	2 *(4)
H	Arnold Road	2

1. With no curb cut beginning closer than 300 feet from the centerline of Tchulahoma Road.
2. With no curb cut beginning closer than 300 feet from the centerline of Raines Road.
3. With no curb cuts beginning closer than 300 feet from the centerline of Prescott Street.
4. With no curb cut beginning closer than 300 feet from the centerline of Arnold Road (realigned).



- V. Prior to recording, the Final Plan shall be reviewed and approved by the Office of Planning and Development for consistency with the Conditions of Approval of the following cases.

SAC 89-50	SR 89-12
SAC 89-51	SR 89-13
SAC 89-52	

VI. Landscaping and Lighting

- A. All street frontages shall be landscaped with either Plates A-4 thirty (30) feet wide or equivalent (except Christine Road) as approved by the Office of Planning and Development. There shall be a **100'** foot wide landscape screen along the Christine Road frontage.
- B. All parking lots shall have a minimum 5% interior landscaping exclusive of other landscape requirements. **In Parcel B-1 this requirement shall apply to the employee parking lot only, the truck/trailer parking lots are exempt from this requirement.**
- C. The following minimum landscape or equivalent shall be provided subject to approval of the Office of Planning and Development:

Parcel	Buffer
<b>B and B-1</b>	<b><i>100-foot landscape screen (Plate N-1) along the property lines that about the Christine Gardens Subdivision. A 25-foot landscape screen (Plate B-5) shall be provided along the east property line adjacent to residentially developed property. A 100 foot wide landscape buffer shall be provided along Christine Road (with a berm unless there is mature vegetation that can be incorporated into the screen.). Design and plantings to be approved by the office of Planning &amp; Development and a 50-foot landscape screen (Plate N-1) shall be provided on the north property line, except as described above. In Parcel B-1 staff will review the existing material and may require additional planting to be added to the screen.</i></b>

- D1 100-foot landscape screen (Plate N-1) shall be provided on the west property line.
- E 50-foot landscape screen (Plate N-1) shall be provided on the west property line.
- F 50-foot landscape screen (Plate N-1) shall be provided on the east and south property line adjacent to the East Whitehaven Park Subdivision.
- G Plate B-1 shall be provided along the east and south boundary line.
- H 50-foot landscape screen (Plate N-1) shall be provided on the east and south property line adjacent to the East Whitehaven Park Subdivision.
- D All lighting shall be directed so as not to glare into residential areas or residential zoning districts.
- E. Area B-1, A lighting plan demonstrating that a foot candle level of 1 or less is met for any perimeter that abuts or is adjacent to land zoned for, or in use as, residential is required.***

VII. Drainage

- A. Drainage data for assessment of on-site detention requirement shall be submitted to the City Engineer.
- B. All drainage plans shall be submitted to City Engineer(s) for review.
- C. Drainage improvements to be provided under contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.
- D. Design of the storm water conveyance and management facilities for this site shall be in accordance with the "City of Memphis Drainage Design Manual". The manual requires on-site detention of stormwater run-off generated from this site, which exceeds the capacity of the downstream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for stormwater detention facilities. For information concerning

this requirement, please contact the City Engineer's Office.

- E. A pro-rata fee for major drainage improvements through this site may be required.
- F. All common open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage shall be owned and maintained by a property owner's association. A statement to this effect shall appear on the final plat.

#### VIII. Signs

- A. Temporary and portable signs are prohibited.
- B. Roof signs are prohibited.
- C. Off premise advertising signs are prohibited.
- D. Attached signs shall not face residential areas.
- E. Signs permitted in Parcels B, D, E, F, G and H signs shall be in accordance with the Light Industrial District except:
  - 1. The maximum size for any detached sign will be 100 square feet.
  - 2. The maximum height shall be 20 feet.
  - 3. Conditions A through D above shall apply.
- F. Signs shall have a minimum setback of fifteen **(10)** feet.
- G. Area B-1, in addition to A-F above, detached signs shall also meet the requirements of UDC, Subsection 4.9.6N.**

- IX. The Land Use Control Board may modify the building, setback, building height, parking, landscaping, phasing plan and sign requirements if equivalent alternatives are presented at the time of site plan review.

#### X. Site Plan Review

- A. A site plan shall be submitted for the review (comment and recommendation of the Office of Planning and Development OPD) and appropriate City and County agencies subject to the approval of the Land Use Control Board prior to approval

of any final plan. ***Site Plan Review by the M/SC Land Use Control Board shall not be required for Area B-1 which includes the former areas designated as A and C.***

- B. The site plan shall be submitted at least twenty (20) days prior to a Land Use Control Board meeting and shall include the following:
    - 1. The location, dimensions and floor area of all buildings, structures, parking areas and loading spaces, decks or openings.
    - 2. The location of streets and private drives.
    - 3. An access plan for the site entrance and exit lanes and any proposed collectors.
    - 4. The location and use of open space.
    - 5. Internal and perimeter landscaping including the number, location, species, type and size of plant materials.
  - C. The site plan shall be reviewed based upon the following criteria:
    - 1. Conformance with the outline plan conditions.
    - 2. Conformance to the standards and criteria of mixed-use planned developments contained in Section 14.C and 14.E of the Zoning Regulations.
    - 3. The adequacy of the street system to accommodate the projected traffic.
    - 4. Compatibility with adjacent uses.
- XI. Any final plan shall include the following:
- A. The outline plan conditions.
  - B. A standard subdivision contract as defined by the Subdivision Regulations for any needed public improvements.
  - C. The exact location and dimensions including height of all building or buildable areas, parking areas, drives, loading spaces and facilities, required landscaping, trash receptacles, and signs.



- D. The number of parking spaces.
- E. The location and ownership, whether public or private, of any easement.
- F. A statement conveying all common facilities and areas to a property owners' association, or other entity, for ownership and maintenance purposes.
- G. The 100-year flood elevation.

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## GENERAL INFORMATION

**Zoning Atlas Page:** 2335 & 2435

**Parcel ID:** 073088 00223

**Planned Development History** – The Raines Road P.U.D. was originally approved in 1989 (P.D. 89-381). It was amended in 1995, Case Number P.D. 95-380

## DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

**City Engineer:** CASE: PD 18-22 NAME: Raines Rd PD, 2<sup>nd</sup> Amendment

1. Standard Subdivision Contract as required in Section 5.5.5 of the Unified Development Code.

**Sewers:**

2. City sanitary sewers are available at developer's expense.
3. The developer shall extend sanitary sewers through the site to serve upstream properties.

**Roads:**

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,

6. Improve Tchulahoma Road 54 feet from centerline in accordance the requirements of the Unified Development Code and the conditions of this planned development.
1. This development is adjacent to Tchulahoma Road\_which has been identified by TDOT (Project ID# 243) to receive future improvements. The applicant is advised that land from his/her parcel may be reserved or dedicated to accommodate the future expanded R.O.W.”

**Traffic Control Provisions:**

7. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.
8. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
9. The developer’s engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number of projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for land Development of the City of Memphis Division of Engineering Design and Policy Review Manual.

**Curb Cuts/Access:**

10. The City Engineer shall approve the design, number and location of curb cuts.
11. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

**Drainage:**

12. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
13. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis Drainage Design Manual.

14. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
15. The developer should be aware of his obligation under 40 CFR 122.26(b) (14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

**Site Plan Notes:**

16. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
17. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

**General Notes:**

18. The width of all existing off-street sewer easements shall be widened to meet current city standards.
19. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
20. Required landscaping shall not be placed on sewer or drainage easements.

**City Fire Division:** No comments received.

**City Real Estate:** No comments received.

**County Health Department:**  
No comments by the *Water Quality Branch & Septic Tank Program*.

**Shelby County Schools:** No comments received.

**Construction Code Enforcement:** No comments received.

**Memphis Light, Gas and Water:** No comments received.

**Neighborhood Associations:** No comments received.

**APPENDIX:**

Application, Letter of Intent, UDC – Section 4.10.3 and 4.10.5, Comparative Noise Examples, and Letters of Opposition

## Application



### Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

#### APPLICATION FOR PLANNED DEVELOPMENT APPROVAL (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)

Date: April 26, 2018

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Name of Development: Raines Road PUD 2nd Amendment

Property Owner of Record: Raines Lenders LP Phone #: \_\_\_\_\_

Mailing Address: 4219 Hillsboro Pike Suite 300 City/State: Nashville, TN Zip 37215

Property Owner E-Mail Address: elehning@landcorp.com

Applicant: SAIA LTL Freight Phone # 678-542-3938

Mailing Address: 11465 Johns Creek Pkwy, Suite 330 City/State: Johns Creek, GA Zip 30097

Applicant E-Mail Address: brabe@saia.com

Representative: SR Consulting, LLC (Cindy Reaves) Phone #: 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Representative E-Mail Address: cindy@srce-memphis.com

Engineer/Surveyor: SR Consulting, LLC Phone # 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Engineer/Surveyor E-Mail Address: cindy@srce-memphis.com

Street Address Location: 0 Christine Road

Distance to nearest intersecting street: At the northeast corner of Raines Road and relocated Tchulahoma Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>47.35</u>	_____	_____
Existing Zoning:	<u>PD</u>	_____	_____
Existing Use of Property	<u>Vacant Land</u>	_____	_____
Requested Use of Property	<u>Truck Terminal</u>	_____	_____

**Medical Overlay District:** Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

**Unincorporated Areas:** For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: \_\_\_\_\_ Bedrooms: \_\_\_\_\_

Expected Appraised Value per Unit: \_\_\_\_\_ or Total Project: \_\_\_\_\_



**REQUIREMENTS PRIOR TO APPLICATION SUBMISSION**

**PRE-APPLICATION CONFERENCE** - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

**Pre-Application Conference held on:** April 23, 2018 with Chip Saliba

**NEIGHBORHOOD MEETING** – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

**Neighborhood Meeting Requirement Met:** ☐ Yes or ☒ Not Yet  
(If yes, documentation must be included with application materials)

**SIGN POSTING** – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

I (we) hereby make application for the Planned Development described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Robert E. Lenders Jr. 4-30-2018  
Property Owner of Record Date

Scott R. Rife 5-3-18  
Applicant Date

**GUIDE FOR SUBMITTING  
PLANNED DEVELOPMENT APPLICATION  
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Outline and/or Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Outline and/or Site/Concept Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Outline and/or Site/Concept Plan (folded), copy of Deed(s).
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

*(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)*

**Letter of Intent**



Date: May 2, 2018

To: Office of Planning & Development

From: Cindy Reaves

Re: Raines Road PD 2<sup>nd</sup> Amendment

Job #: 18-0048

**LETTER OF INTENT**

We are pleased to submit a Planned Development Amendment application for Raines Road PD, located at Raines Road east of Tchulahoma Road and south of Christine Road. We are requesting to delete Parcel C by combining Parcel C with Parcel B. SAIA LTL Freight has a contract to purchase Parcel B and would like to also include the property in Parcel C to develop a new truck terminal facility as shown on the attached Concept Plan.

We appreciate your support with this request. Please contact me if you have any questions.

### **UDC 4.10.3**

#### **4.10.3 General Provisions**

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations of the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in this Chapter.

A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

B. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

C. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.

D. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

E. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

F. Lots of record are created with the recording of a planned development final plan.

## **UDC 4.10.5**

### **4.10.5 Planned Commercial or Industrial Developments**

Approval of a planned commercial or industrial development may be issued by the governing bodies for buildings or premises to be used for the retail sale of merchandise and services, parking areas, office buildings, hotels and motels and similar facilities ordinarily accepted as commercial center uses and those industrial uses which can be reasonably be expected to function in a compatible manner with the other permitted uses in the area. In addition to the applicable standards and criteria set forth in Section 4.10.3, planned commercial or industrial developments shall comply with the following standards:

#### **A. Screening**

When commercial or industrial structures or uses in a planned commercial or industrial development abut a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.

#### **B. Display of Merchandise**

All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.

#### **C. Accessibility**

The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.

#### **D. Landscaping**

Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings

Comparative Noise Examples

**COMPARITIVE EXAMPLES OF NOISE LEVELS**

Noise Source	Decibel Level	Decibel Effect
<b>Jet take-off</b> (at 25 meters) <b>Recommended product:</b> <u>Outdoor Noise Barriers</u> ( <a href="http://www.industrialnoisecontrol.com/products/onb-outdoor-noise-barriers">http://www.industrialnoisecontrol.com/products/onb-outdoor-noise-barriers</a> )	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.

<http://www.industrialnoisecontrol.com/comparative-noise-examples.htm>

### Comparative Examples of Noise Levels | Industrial Noise Control

Noise Source	Decibel Level	Decibel Effect
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.



### Comparitive Examples of Noise Levels | Industrial Noise Control

Noise Source	Decibel Level	Decibel Effect
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	
Breathing	10	Barely audible

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401 AIRPORT RD | NORTH AURORA, IL 800-954-1998 | FAX 630-966-9710

**Letters of Opposition**

# **YOUR VOICE MATTERS!**

**PLEASE EMAIL YOUR OPINION AS DETAILED BELOW & ATTEND A COMMUNITY MEETING ON  
JUNE 4TH**

Recently, you may have received a letter like the one included detailing plans for a proposed truck terminal facility in your neighborhood. The proposed site entrance is on Raines Road and backs up to Christine, across from Christine Circle.

There will be a community meeting on **June 4, 2018 at 6 PM** located at **Easthaven Church of Christ (4833 Tchulahoma Rd, 38118)** to discuss this proposed truck terminal. It is important that we join together to express our concerns about the negative impact this could have on the neighborhood, including potential of increased crime, pollution and depreciation of property values.

We strongly encourage you to do three things:

1. Prior to the meeting, contact Don Jones with the Memphis Shelby County Office of Planning Development via phone or email to express your opinion, concerns and questions. See sample email we've included with this letter. [Donald.jones@memphistn.gov](mailto:Donald.jones@memphistn.gov) or 901-636-6619.
2. Attend the community meeting on June 4<sup>th</sup> at 6pm at Easthaven Church of Christ.
3. If possible, attend the Land Use Control Board meeting on June 14, 2018 at 10am at City Council Chambers, Memphis City Hall.

If you have questions, please feel free to contact me or Cari Harris at 901-322-3523 or [charris@memphishabitat.com](mailto:charris@memphishabitat.com). Together, we can make a difference.

Thank you so much!

Steve Herrington,  
Habitat for Humanity of Greater Memphis  
Homeownership Services Manager  
[sherrington@memphishabitat.com](mailto:sherrington@memphishabitat.com)

901-322-3521

Sample email to send to Don Jones with the Memphis Shelby County Office of Planning Development ([donald.jones@memphistn.gov](mailto:donald.jones@memphistn.gov)):

Dear Mr. Jones,

I am reaching out to express my opposition to combining parcels on Raines Road east of Tchulahoma Road and south of Christine Road to allow for the development of a new truck terminal in my neighborhood. My home is located at <insert your address here>, which is near this location, and I am deeply concerned about the negative impact it will have on my property value, the increase in pollution, truck traffic and crime.

Thank you for your time,

Your name

Your email address

Your phone number (optional)

Remember, you can also talk to Mr. Jones to discuss this issue at 901-636-6619.

Don't forget to...

1. Attend the community meeting on June 4<sup>th</sup> at 6pm at Easthaven Church of Christ (4833 Tchulahoma Road, 38118).
2. If possible, attend the Land Use Control Board meeting on June 14, 2018 at 10am in City Council Chambers at Memphis City Hall (125 N. Main Street, 38103).

PD 18-22 Project

Page 1 of 1

Reply all | Delete Junk |

## PD 18-22 Project

KS K SANDERS <jehova51@bellsouth.net>  
Sun 6/3, 6:50 PM  
Jones, Donald; Robinson, Patrice; Fullilove, Janis; eddie.s.jones@shelby



Reply all |

You replied on 6/4/2018 8:45 AM.

As a longtime resident of the Oakhaven Area, I am very much opposed to, the proposed referenced project. Our community has fought long and hard to keep our neighborhood intact.

Sincerely,

Karen Sanders